

UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF MISSISSIPPI  
ABERDEEN DIVISION

UNITED STATES OF AMERICA

PLAINTIFF

V.

CIVIL ACTION NO.: 1:20-CV-47-SA-DAS

AN EASEMENT AND RIGHT-OF-WAY  
OVER 1.02 ACRES OF LAND, MORE OR LESS,  
IN OKTIBBEHA COUNTY, MISSISSIPPI,  
ELBERT J. DAY, JR., GARY LYNN DAY,  
and BRENDA J. HUNT

DEFENDANTS

ORDER OF POSSESSION

Pursuant to Title 40 United States Code Section 3114-3118, which authorizes the Court “to give the Government immediate possession of the [condemned] property,” *United States v. Miller*, 317 U.S. 369, 381, 63 S. Ct. 276, 87 L. Ed 336 (1943), it is hereby ORDERED that the Tennessee Valley Authority, as agent of the United States of America, be put into immediate possession of the property described in the Declaration of Taking filed in this action to the extent necessary to permit the Tennessee Valley Authority to carry on any of its operations described in the pleadings filed herein, and that the Defendants in such action surrender possession of said property to the Tennessee Valley Authority accordingly.

It is SO ORDERED, on this the 9th day of April, 2020.

/s/ Sharion Aycock

UNITED STATES DISTRICT JUDGE